

**COMMONWEALTH OF KENTUCKY**  
**BEFORE THE PUBLIC SERVICE COMMISSION**

**In the Matter of:**

<b>APPLICATION OF THE LOUISVILLE AND</b>	<b>)</b>	
<b>JEFFERSON COUNTY METROPOLITAN SEWER</b>	<b>)</b>	<b>CASE NO.</b>
<b>DISTRICT FOR APPROVAL TO ACQUIRE</b>	<b>)</b>	<b>90-310</b>
<b>THE ASSETS OF THE MARKHAM</b>	<b>)</b>	
<b>CORPORATION</b>	<b>)</b>	

**O R D E R**

On October 9, 1990, the Louisville and Jefferson County Metropolitan Sewer District ("MSD") submitted an application for approval of the transfer of ownership of the assets of The Markham Corporation ("Markham") to MSD.

Having considered the evidence of record and being otherwise sufficiently advised, the Commission finds that:

1. Markham owns and operates a wastewater treatment plant serving approximately 151 customers in the Glenview Hills Subdivision of Jefferson County, Kentucky, and is therefore a "utility" as defined by KRS 278.010(3)(f).

2. MSD is a public body corporate and political subdivision created for the purpose of providing adequate sewer and drainage facilities in and around Jefferson County, Kentucky. KRS 76.010.

3. MSD and Markham have agreed to the transfer of ownership of the Glenview Hills wastewater treatment plant and all real property interest associated therewith to MSD for a total consideration of \$85,000.

4. KRS 278.020 requires Commission approval of the proposed transfer of ownership of the Glenview Hills wastewater treatment plant.

5. As of June 30, 1989, MSD had total assets of \$436,216,166 and total liabilities of \$42,690,879.

6. MSD has approximately 81 employees licensed as wastewater treatment plant operators.

7. MSD has the financial, managerial, and technical abilities to provide reasonable utility service to the persons currently served by Markham.

IT IS THEREFORE ORDERED that:

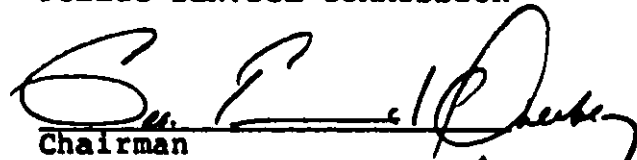
1. The transfer of ownership of the assets of Markham to MSD is approved.

2. MSD shall file an executed copy of the agreement evidencing transfer of ownership with the Commission within 21 days of the date of this Order.

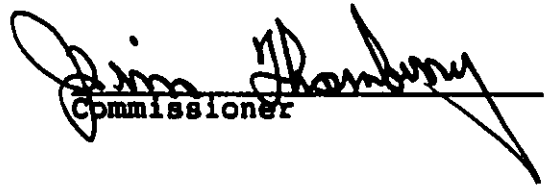
3. Until formal closing of the transfer of ownership occurs, the Commission shall retain jurisdiction over the Glenview Hills wastewater treatment plant, and Markham shall continue to be responsible for complying with all Commission rules and regulations, including those which require the timely filing of any information, notice or reports.

Done at Frankfort, Kentucky, this 13th day of November, 1990.

PUBLIC SERVICE COMMISSION

  
Chairman

  
Vice Chairman

  
Commissioner

ATTEST:

  
Executive Director